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Elevator Task Group Meeting September 27, 2013

Present:

Meredith Baker, Associated Elevator
Eric Brodsky, Otis Elevator
Lenny Chase, DPS Supervisor
Mike Coughlin, TKE
Jim Cummings, Delta Beckwith
Paul Evans, DPS Civil Fine Coordinator
Debbie Ferguson, DPS Scheduler
Thomas Gatzunis, DPS Commissioner
Susan Genduso, DPS Asst. to Chief
Deirdre Hosler, DPS Legal Council
Cory Hussey, Stanley Elevator

Paul Keyes, DPS Supervisor
Steve Martelli, Schindler Elevator
Neil Mullane, Kone Inc.
Sandra Pickering, DPS Scheduler
Diana Pirone, DPS Scheduler
George Ramian, DPS Supervisor
Robert Rodophele, NEII
Ed Sandell, DPS Supervisor
Jenny Stanzel, Garaventa
Michael Wisminiti, Garaventa
Walter Zalenski, DPS Chief of Inspections

Meeting is called to order by Chief of Elevator Inspections, Walter Zalenski and attendees introduce themselves. The following comments are by DPS unless otherwise noted.

Agenda Items

1. Civil Fine Implementation:

- Elevator companies are concerned about inaccuracies of expiration dates in both the DPS and the elevator company's databases and how these inaccuracies are affecting the issuance of fines. DPS advised companies to use the expiration date that is printed on the certificate in the car, since expiration dates are not always the "birth dates". It is the policy of the Department to change the expiration date to the anniversary of the inspection if we have the fee for more than six months. Stanley Elevator requested the Department keep the expiration date as the "birth date" even if the inspection takes place late. It is the consensus of the group to keep the DPS policy in place to change the expiration date when applicable.
- The Department will be going live in 12-18 months with a new permitting and inspection program that companies will be able to access on line. In the meantime the Department is diligently working to update and ensure that all the information in the existing database is correct. A request was made by Kone that DPS put off the implementation of the Civil Fine Program until such time that the databases can be brought up to date. DPS does not have the authority to put off the date of implementation of the Fine Program.

- As a courtesy to owners, the Department sends 90 Day Notice Letters (need for inspection) to elevator/lift owners. In order to ensure receipt, DPS asks that elevator companies update owner information. Elevator Companies request that a copy of the letter or a list of recipients is sent to them. The Department will research if it is possible to notify the elevator companies of who these letters are being sent to. The Department has added language to the letter explaining the civil fine and referencing their elevator maintenance company.
- If it is determined that a civil fine is due DPS sends fine notification letters to owners prior to issuing the actual fine. Stanley Elevator requests that elevator companies are sent the civil fine notification letter prior to owners in order to resolve administrative errors without the owners having to worry about a fine that may never be issued. Elevator companies would like a written notification from DPS when a fine has been dismissed administratively. DPS has created a notice of administrative dismissal of fine.
- Associated Elevators asked for clarification about scheduling of inspections when civil fines are due. Once an annual fee has been received, the Department will schedule and perform annual inspections regardless of whether or not fines are due on the unit.

2. Elevator Company Registration:

DPS has posted a list of Registered Elevator Companies on our website for owner reference. The term of the registrations is two years. The program began in January of 2013 so the first renewals will be required in January of 2015. Dates of expiration are listed on the certificates of registration that were issued to all companies.

3. Re-inspections

The Department requests that elevator companies pre-test elevators to ensure that they pass annual inspections, thereby reducing the need for re-inspections. DPS performed 47,000 annual inspections last year and had to re-test 11,000 units. Better compliance by elevator companies will result in more inspectors being available to complete additional annual and other types of inspections. Kone pointed out that inspectors should cite exact code violations on work orders, this would make compliance easier. DPS is now checking all inspector work orders to make sure that codes are clearly cited.

4. 90 Day work orders: Included in Item #3

5. Overtime Inspections:

The Department will perform any type of inspection on over time. Inspector's daytime schedules are booked well in advance so companies should request an overtime test if timing is crucial. Placard re-tests will be reviewed on a case by case basis.

6. Contacting Inspectors:

In order to keep DPS database up to date and to best utilize inspector hours, all inspections must be coordinated through District Supervisors and the schedulers in Boston. Elevator Companies should not contact inspectors to schedule inspections.

7. Placards:

The Department asks that elevator companies pre-test their units to avoid placards as well as 90 day work orders. Delta Beckwith requests that the Department remove the placarded as soon as the life

safety violation is abated and allow 90 days to complete any other non life safety violations. DPS must best maximize its inspectional staff and cannot have an inspector returning three times to complete one annual inspection. All repairs must be completed before a unit can be certified after being placarded

8. Forms:

The Department requests that elevator companies refer to our website for the most current versions of our forms available. It is the policy of DPS to send a Constant Contact e-mail notification when significant revisions are made to our forms. The Department will accept older forms for a reasonable amount of time but using the revised form helps to expedite the application process.

9. A10/2010:

A committee has been formed to review ASME A17- 2010 code, and is nearing completion of a proposed draft to be submitted to the Board of Elevator Regulations for adoption. ASME A17-2010 will be implemented as ASME A17-2004 was, the code will be adopted as a whole with addendums in Section 35.

10. Reporting Elevator Incidents:

It is the responsibility of the elevator owner to report any elevator incident/accident to the Department within 1 hour if there is serious bodily injury (or promptly upon first learning of the incident) followed by written notice within 48 hours. Elevator companies should contact DPS to report the incident and then advise their clients to fill out the Elevator Incident Report posted on our website and follow the directions for reporting the incident to DPS.

11. Owner information/e-mail addresses:

The Department must have accurate owner information for all elevators. If an application is received without owner information including e-mail, it will be returned to sender and be considered delinquent until the information is provided. Garaventa has elderly and small church clients who have no access to computers and requests clarification on what to do in order that these applications are not delayed. DPS will consider the rare instance of an owner having no access to e-mail and advise how to proceed.

12. 90 Day Temporary Certificates for new installations:

CMR 524 Section 1.08 requires that DPS issue only 30 day certificates for new installations. Otis cited conflicting code relating to new installations, Section 5.105 of the Modifications to ASME A17-2004 reads - once the equipment passes initial inspection the state elevator inspector shall issue a temporary certificate which shall be valid for 90 days. DPS agrees that the language seems to be conflicting and will review the codes and advise, and make sure that the A10 committee addresses this in the proposed draft. Kone commented on how difficult it is to re-apply for inspections every 30 days and that the 90 day certificates would result in the need for fewer inspections.

13. Online system for accessing unit information:

As mentioned in Agenda Item #1 the Department will be going live in 12-18 months with a new permitting and inspection program. The new program will allow elevator companies and owners to access all of the unit's scheduling, inspectional and payment information. Elevator companies will be able to pay fees on line. The specifics of how and how many applications can be processed on one order have not yet been determined.

14. Number of inspectors performing annuals:

The Department has all available inspectors performing annual inspections. The schedulers work to ensure that all inspections are scheduled according to date of application and there is no preference given to one company over another. Currently the Department has three inspector positions posted, two for Boston and one for Springfield and we hope to fill those soon. The Department has increased its inspectional staff and is doing all it can to perform as many inspections as possible. DPS requests that the elevator companies work harder to pre-test their units cutting down the necessity of 90 day re-inspections and freeing up inspector hours to perform annuals.

New Business

Repair Permits/New Installation Permits:

Otis elevator requests that the DPS look into shortening the time that it currently takes (up to 30 days) to issue a repair permit or a permit for new inspections. The elevator companies are forced to apply for emergency repair permits each time a repair permit is required. The delay in permitting also negatively effects the ability of the elevator companies to keep their mechanics employed. The Chief is working with the Department's Code Coordinator to streamline the review process and shorten the turnaround time for issuing repair permits. Elevator companies should apply for new installation permits as soon as possible.

Variance Decisions:

Kone and Otis also expressed concerns about not receiving variance decisions in a timely manner and request that the department addresses this problem. The Department is amending its variance procedures and will soon begin issuing prototype variances which will simplify the process for prototype units and free up the Board to hear more site specific variance requests.

Code Data Tags:

Associated Elevator expressed the difficulty of determining the exact installation date as required on the data tag and requests that the original permit date be available in our new database. All information that is available to DPS, including the original permit date, will be searchable on the new database. Presently, elevator companies should refer to the elevator wiring diagram, that will list date of installation and from that you can determine the code in effect when the elevator was installed. Elevator companies need only cite the code that was in effect when the elevator was installed, not the exact date of installation.

Civil Fine Appeals:

Stanley inquired about the regularity of Civil Fine Appeals Hearings and requested that appellants be scheduled for a specific time. The Department is considering scheduling hearings every 4-6 weeks and will determine the regularity based on the demand. It is not possible to schedule specific times for hearings but the Department will look into AM/PM time slots. If the fine is dismissed administratively prior to the hearing DPS will send written notification of the dismissal and the hearing will be cancelled.

Posting for Receipt of Fee:

Associated requests that the Department issue a certificate or letter for owners to post in the elevator to eliminate the fears of riders who are concerned that the elevator is unsafe due to late inspection by DPS.

Decommission Inspection:

Garaventa asked for clarification about decommission inspections. Elevator companies must submit an *Application for Permit for Elevator Construction, Installation, Material Change, Modernization, Alteration or Decommission* when decommissioning an elevator, or when notify the Department of a unit that has been removed by others. When the decommission is complete the elevator company must notify the Department by submitting a *Request for Decommission Inspection* form. The Department will then schedule an inspector to perform an inspection to verify that the unit has been decommissioned or removed. These inspections are scheduled when an inspector is in the area and no representative of the elevator company is required to be present.